

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

: INDICTMENT

-v.-

: 08 Cr.

08 CRIM. 0613
(Kmk)

RICARDO MARMOLEJOS,
a/k/a "Rudy Feliz,"

:

:

Defendant.

:

- - - - - X

COUNT ONE

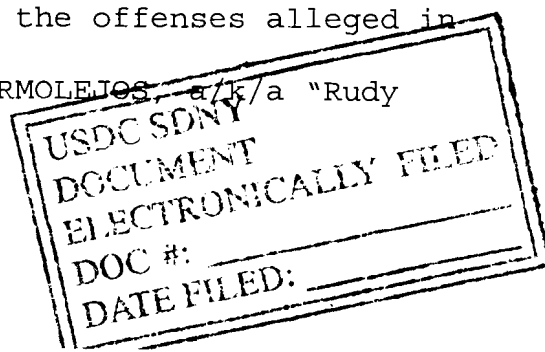
The Grand Jury charges:

1. On or about February 7, 2008, in the Southern District of New York and elsewhere, RICARDO MARMOLEJOS, a/k/a "Rudy Feliz," the defendant, unlawfully, willfully, knowingly and with intent to defraud, as part of an offense affecting interstate commerce, did traffic in and use one or more unauthorized access devices, and by such conduct did obtain a thing of value during a one-year period, the aggregate value of which is equal to \$1,000 and more, to wit, MARMOLEJOS purchased goods at Costco in Yonkers, New York, valued at approximately \$5,014.81, with a counterfeit credit card.

(Title 18, United States Code, Sections 1029(a)(2) and 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offenses alleged in Count One of this Indictment, RICARDO MARMOLEJOS, a/k/a "Rudy



Feliz," the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the access device fraud.

Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

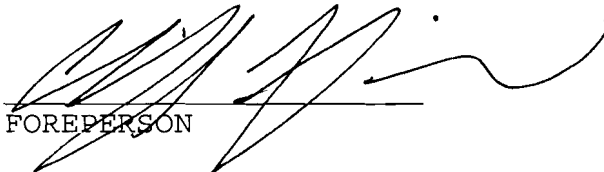
(2) has been transferred or sold to, or deposited with, a third person;

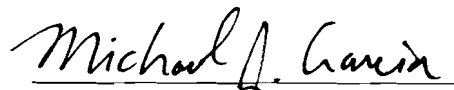
(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982, 1029, and 2.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

